

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

ERIC SMITH,

Petitioner,

v.

WILLIAM WILSON,

Respondent.

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CAUSE NO. 3:06-CV-422-TLS

OPINION AND ORDER

Petitioner Eric Smith submitted a petition for writ of *habeas corpus* pursuant to 28 U.S.C. § 2254. The Petition must be dismissed because the Petitioner did not allege a sanction that is actionable under § 2254. In his petition, Smith says that as a sanction he was placed in disciplinary segregation. He was not demoted to a lower credit time earning class. Smith has no liberty interest in not being placed in segregation. *See Higgason v. Farley*, 83 F.3d 807 (7th Cir. 1996).

Smith's Petition for Writ of Habeas Corpus must be denied on its face under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, which provides for the dismissal of a petition "[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court." Rules Governing § 2254 Cases, Rule 4; *Dellenbach v. Hanks*, 76 F.3d 820 (7th Cir. 1996).

For the foregoing reasons, the Court **DISMISSES** this Petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.

SO ORDERED on July 14, 2006.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT